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JOHN M. PELKEY
ADMITTED IN D.C. AND VA

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

May 15, 1997

OUR FILE NO.
1554-101-63

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: Amendment of Section 73.202(b)
Warrenton, North Carolina and LaCrosse, Virginia

Dear Mr. Caton:

Transmitted herewith on behalf of MainQuad, Inc., are an original and four copies of a Petition for Rulemaking.

No filing fee need accompany this Petition. If there are any questions concerning this matter, please contact this office directly.

Sincerely,


John M. Pelkey

JMP/ned

Enclosures: (5)

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Before The
Federal Communications Commission

Washington, D.C. 20554

RECEIVED
MAY 15 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No. _____
Table of Allotments)	RM _____
FM Broadcast Stations)	
Warrenton, North Carolina and		
LaCrosse, Virginia		

To: Chief, Allocations Branch

Petition for Rulemaking

MainQuad, Inc. ("MainQuad"), through counsel, hereby requests the Commission to institute a rulemaking proceeding to amend Section 73.202(b) of the Commission's rules, the Table of FM Allotments, by deleting Channel 297C2 from Warrenton, North Carolina, and allotting Channel 297C2 to LaCrosse, Virginia, as that community's first local aural service. In support thereof, the following is stated:

MainQuad is the permittee of WXNC(FM). WXNC's community of license is Warrenton, North Carolina. WXNC is presently unconstructed and is not providing service. MainQuad seeks to change WXNC's community of license from Warrenton, North Carolina, to LaCrosse, Virginia, because Warrenton is already receiving service from an AM station, whereas LaCrosse has no source of local programming.

LaCrosse is an incorporated community with a population of 549 persons, according to the 1990 census. It has a mayor and its own town council. It also has its own police force and fire department and supports a post office.

MainQuad has determined that Channel 297C2 can be allocated to LaCrosse as its first local aural service. An engineering study of the proposed allocation demonstrating compliance of the proposal with the technical standards for allocating a new channel is included with this petition. The proposed Channel 297C2 allotment can be awarded to LaCrosse in full compliance with the FM spacing rules by imposing a site restriction of 16.8 kilometers east northeast of the community. No other full service broadcasters are affected by this proposal and operation from the proposed reference coordinates of North Latitude 36° 45' 07" and West Longitude 77° 55' 36" would provide city grade service levels as set forth in Section 73.315 of the Commission's rules.

If the Commission amends the FM Table of Allotments as requested herein, MainQuad will promptly file an application for Channel 297C2 at LaCrosse and will promptly construct those facilities.

The proposal set forth in this Petition is consistent with the procedures authorized in *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New*

Community of License, 4 FCC Rcd 4870 (1989), as modified by *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 5 FCC Rcd 7094 (1990). Allotting Channel 297C2 to LaCrosse would permit LaCrosse to receive its first local aural channel, thereby serving the highest of the Commission's existing allocation priorities: "[T]here are virtually no populated areas of the country where our higher allotment priorities, such as first reception service, have not been attained. Therefore, as a practical matter, provision of first local service is the highest of our allotment priorities which remains in any significant degree unsatisfied." 5 FCC Rcd at 7096 (§ 16). Moreover, deletion of Channel 297C2 from Warrenton will not leave Warrenton without a local aural service inasmuch as that community receives service from AM Station WARR.

In summary, MainQuad's proposal would permit Warrenton to continue to receive local service, while providing LaCrosse with its first local aural service. Favorable action on this proposal would thus be in the public interest.

Conclusion.


For the reasons stated above, the public interest will be served by the allotment of Channel 297C2 to LaCrosse, Virginia, as its first local aural service. Accordingly, MainQuad respectfully requests that the

Commission institute a rulemaking proceeding that would amend the FM
Table of Allotments as follows:

City	Present Allotment	Proposed Allotment
Warrenton, North Carolina	297C2	- - -
LaCrosse, Virginia	- - -	297C2

Respectfully submitted,

MainQuad, Inc.

By: 
John M. Pelkey
Its Attorney

HALEY BADER & POTTS P.L.C.
Suite 900
4350 North Fairfax Drive
Arlington, VA 22203-1633

703/841-0606

Date: May 15, 1997

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

**PETITION FOR RULE MAKING
MAINQUAD, INC.
RE-ALLOT CHANNEL 297C2
LA CROSSE, VIRGINIA
May 1997**

TECHNICAL EXHIBIT

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PETITION FOR RULE MAKING
MAINQUAD, INC.
RE-ALLOT CHANNEL 297C2
LA CROSSE, VIRGINIA
May 1997

TECHNICAL STATEMENT

1. This technical statement and attached exhibits were prepared on behalf of MainQuad, Inc. ("Main"), permittee of WXNC, Channel 297C2, Warrenton, North Carolina.¹ Main herein requests the Commission re-allot Channel 297C2 from Warrenton, North Carolina, to La Crosse, Virginia, as that community's first local service.

BACKGROUND

2. La Crosse, Virginia, is an incorporated community located in Mecklenburg County, Virginia, with a 1990 population of 549.² La Crosse has a mayor and Town Council. It provides water and sewer service to its residents. The town has a one person police department and a 30 member volunteer fire department.

DISCUSSION

3. La Crosse is not adjacent to any urbanized area. La Crosse has no locally licensed radio service. The proposed allocation of Channel 297C2 to La Crosse is mutually exclusive with the present Channel 297C2 allotment at Warrenton, North Carolina. The requested change in community of license is not a migration from a rural community to an urban area, nor would the reallocation leave Warrenton without service.³

1) WXNC is presently unconstructed and not providing service to Warrenton, North Carolina.
2) 1990 U.S. Census of Colorado - 1990 CPH-2-48.
3) AM station WARR, 1520 kHz, will remain licensed to Warrenton, North Carolina.

4. Channel 297C2 can be allotted to La Crosse with a site restriction of 16.8 kilometers east-northeast of the community to avoid shortspacing WKZL, Channel 298C, Winston-Salem, North Carolina; WFXC, Channel 296A, Durham, North Carolina; and WTTX-FM, Channel 296A, Appomattox, Virginia, at reference coordinates North Latitude 36° 45' 07" and West Longitude 77° 55' 36".⁴ Attached as Exhibit #1 is a usable area map for Channel 297C2 at La Crosse, Virginia. Further, attached as Exhibit #2 is a §73.207 spacing study which shows Channel 297C2 at the proposed allocation site is fully spaced to all other licensed, applied for or proposed facilities (with the exception of the permitted facilities for WXNC). A 3.16 mV/m contour will be delivered to La Crosse, Virginia, from the proposed reference site.

5. Therefore, MainQuad, Inc., requests the following changes in §73.202 of the Commission's rules:

La Crosse, Virginia

<u>Present</u>	<u>Proposed</u>
None	297C2

Warrenton, North Carolina

<u>Present</u>	<u>Proposed</u>
297C2	None

PUBLIC INTEREST ASPECTS

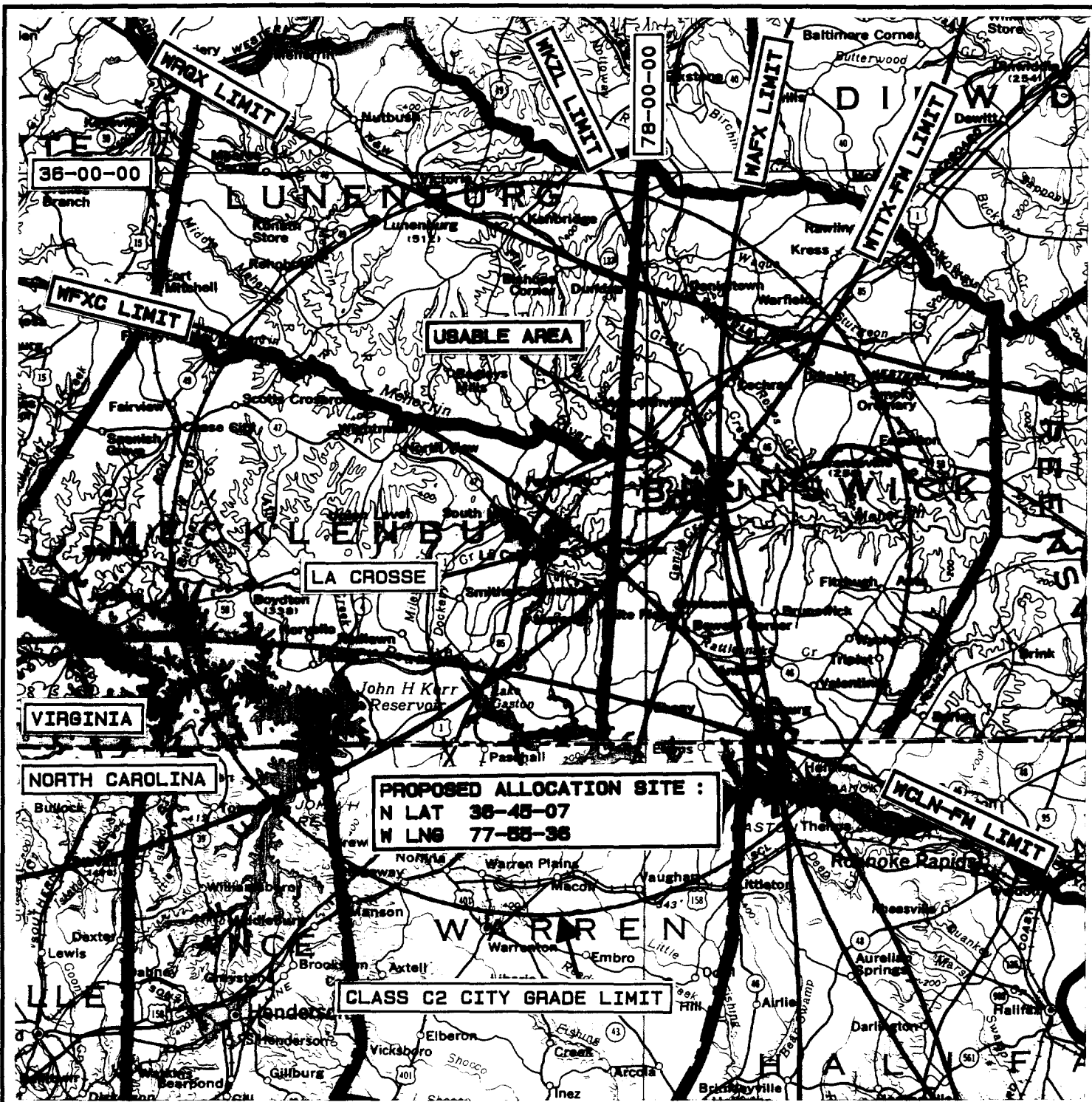
6. The allocation of Channel 297C2 to La Crosse, Virginia, will provide the community with its first locally licensed radio facility, without depriving Warrenton, North Carolina, of its

4) At the presently authorized WXNC site, Channel 297C2 does not comply with §73.207 of the Commission's rules due to a shortspace with station WKZL, Channel 298C, Winston-Salem, North Carolina. Therefore, for allocation purposes, Main is not specifying the proposed site, but rather a reference site which meets §73.207 spacing.

only service. Once Channel 297C2 is allotted to La Crosse, Warrenton will still be provided with service from AM station WARR (and will receive 1.0 mV/m service from the relocated WXNC). A relocated WXNC will provide service to 141,369 persons in 8,540.8 square kilometers.

7. When Channel 297C2 is allotted to La Crosse, Main will file, on a timely basis, an application to make minor changes in the permitted facilities of WXNC to specify operation on Channel 297C2 at La Crosse, Virginia, in lieu of Warrenton, North Carolina.

8. This technical statement and attached exhibits were prepared on behalf of MainQuad, Inc., by Graham Brock, Inc., its Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All data relating to authorized, applied for or proposed facilities was extracted from the NTIA database as updated May 9, 1997. We assume no liability for omissions or errors in that database.

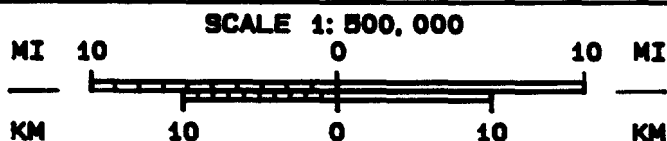


USABLE AREA CHANNEL 297C2

MAP IS A PORTION OF THE 1: 500, 000 SCALE
U.S.G.S. BASE MAP OF VIRGINIA AND NORTH
CAROLINA.

EXHIBIT #1
PETITION FOR RULE MAKING
MAINQUAD, INC.
RE-ALLOT CHANNEL 297C2
LA CROSSE, VIRGINIA

May 1987



GRAHAM BROCK, INC.
BROADCAST TECHNICAL CONSULTANTS

ALLOCATION STUDY FOR CHANNEL 297C2 LA CROSSE, VIRGINIA
USING PROPOSED ALLOCATION SITE AS REFERENCE

REFERENCE	CLASS C2	DISPLAY DATES
36 45 07 N		DATA 05-09-97
77 55 36 W	Current rules spacings	SEARCH 05-13-97
----- CHANNEL 297 -107.3 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AD297	297C2	La Crosse	VA	0.0	0.00	190.0	-190.00
AD	36 45 07	77 55 36	0.000 kW	0M	0.0	118.1	
MainQuad, Inc.							
WXNC.C	297C2	Warrenton	NC	181.7	15.60	190.0	-174.40
CP CN	36 36 41	77 55 55	50.000 kW	150M	9.7	118.1	
MainQuad, Inc. BPH-930309MK							
* WAFX	295C	Suffolk	VA	86.4	104.78	105.0	-0.22
LI CN	36 48 16	76 45 17	100.000 kW	300M	65.1	65.3	
Radio Ventures I, L.P. BLH-890929KC							
WKZL	298C	Winston-Salem	NC	254.2	188.00	188.0	0.00
LI ZCN	36 16 33	79 56 27	100.000 kW	303M	116.8	116.8	
Dick Broadcasting Company, Inc. BLH-921016KD							
WTTXFM	296A	Appomattox	VA	310.8	106.12	106.0	0.12
CP CN	37 22 19	78 50 06	1.700 kW	130M	65.9	65.9	
CLL, Inc. BPH-960916IG							
WTTXFM	296A	Appomattox	VA	310.8	106.12	106.0	0.12
LI CN	37 22 19	78 50 06	3.000 kW	91M	65.9	65.9	
H T B, Inc. BLH-7808							
WFXC	296A	Durham	NC	223.1	117.26	106.0	11.26
LI CN	35 58 41	78 48 59	2.600 kW	153M	72.9	65.9	
Lee W. Shubert, Trustee BLH-930720KA							
WRQX	297B	Washington	DC	16.7	255.13	241.0	14.13
LI CN	38 57 01	77 04 47	21.500 kW	176M	158.6	149.8	
WMAL, Inc. BLH-911028KC							
WRQX	297B	Washington	DC	16.7	255.13	241.0	14.13
LI CN	38 57 01	77 04 47	34.000 kW	184M	158.6	149.8	
WMAL, Inc. BLH-910826KB							
WCLNFM	297C3	Clinton	NC	195.3	197.15	177.0	20.15
LI CN	35 02 14	78 29 56	13.000 kW	138M	122.5	110.0	
Christian Listening Network, Inc. BLH-940801KE							

ALLOCATION STUDY CHANNEL 297C2

* NOTE : THE SPACING TO WAFX IS SHOWN AS -0.22 KM. HOWEVER, PURSUANT TO SECTION 73.208 OF THE RULES THIS DISTANCE IS ROUNDED TO ZERO.

EXHIBIT #2

**PETITION FOR RULE MAKING
MAINQUAD, INC.
RE-ALLOT CHANNEL 297C2
LA CROSSE, VIRGINIA**

May 1997

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

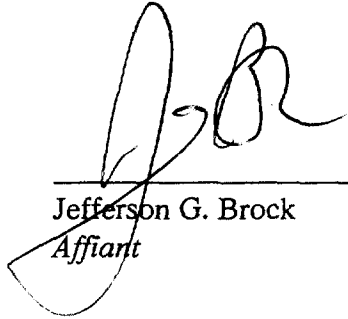
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by MainQuad, Inc., to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 13th day of May, 1997.



Jefferson G. Brock
Affiant

Sworn to and subscribed before me
this the 13th day of May, 1997



Notary Public, State of Georgia
My Commission Expires September 12, 1999